

## **REMARKS/ARGUMENTS**

In response to the Examiner's Office Action of September 02, 2010 issued in relation to the present Patent Application, the Applicant submits Amendments to the claims, and the below Remarks.

Claims 1-2, 10, 12, and 29 are presented for examination. Claim 1 is an independent claim.

### ***Regarding 35 USC 112 Rejections***

Claim 1 is rejected under 35 USC 112, first paragraph, because the limitation "sending the serial number of the coupon to the administration server" is not part of the original disclosure.

Applicant respectfully disagrees. Page 32, line 12 describes that the coupon number is sent to the manufacturer server 33 for verification and authentication. The coupon number is the serial number of the described on Page 32, lines 4-5. One of ordinary skill in the art would be unable to attribute any other meaning the coupon number, other than that is a shortened version of coupon serial number.

### ***Regarding 35 USC 103 Rejections***

Claims 1, 2, 10, 12 and 29 are rejected under 35 USC 103(a) as being unpatentable over Murphy et al (US 4,554,446) in view of Lazzouni et al. (US 5,661,506), and in further view of Dymetman et al. (US 6,330,976).

Applicant respectfully disagrees with the manner in which the prior art references are applied against the claimed invention.

Murphy describes a customer brings all items to be purchased, as well as all the coupons 30, to the checkout scanner 10. After the items to be purchased are scanned, a scan concentrator 14 holds ticket information about those items in a transaction register. After scanning the coupons 30, the scan coupon concentrator 14 compares the information from the coupons with ticket information being held in the transaction register and verifies that a product according to the conditions of the coupon is in the transaction register.

Murphy provides no motivation to modify the UPC barcode disclosed therein to encode a unique identity of the product item and respective positions of the coded data tags on the surface. The mere fact that the prior art includes position coding does not suggest one of ordinary skill in the art would be motivated to replace the barcodes of Murphy with the codes of Lazzouni or Dymetman.

Furthermore, even if the barcodes of Murphy is replaced with the codes of Lazzouni or Dymetman, Murphy does not provide any advantage by having such a different coded on the product items. Murphy provides no reason for uniquely identifying the product item. Murphy is only concerned with verifying whether a product item as specified by the conditions of the coupon is in the transaction register. Those conditions are not described as specifying a unique product item.

In the claimed invention the unique identity of the product item is used to check whether that unique product item was legitimately purchased. The benefit of the claimed invention is that that check may be performed at any time after purchase. Murphy relies on

the transaction register to retain information of all items in the process of being purchased. Once the transaction is completed, the transaction register is cleared. Murphy provides no motivation to check whether individual items are legitimately purchased. Murphy is only concerned with matching coupons with information in the transaction register.

Furthermore, in the claimed invention the coupon is printed upon the verifying step being in the affirmative. In Murphy the coupon is obtained through means unrelated to the purchase. Accordingly, the coupon and product have to be matched at the point of sale. In contrast thereto, in the claimed invention verification of legitimate purchase results in the printing of the coupon. Accordingly, no matching of coupon conditions and product items in the process of being purchased is required.

Since the combination of prior art fails to teach each of the limitations of the claimed invention, claim 1 and all claims dependent on claim 1, are allowable.

### CONCLUSION

It is respectfully submitted that all of the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,



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